

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Christoph Brabec et al. Art Unit : 1795
Serial No. : 10/525,058 Examiner : Golam Mowla
Filed : September 6, 2005 Conf. No. : 5861
Title : ORGANIC PHOTOVOLTAIC COMPONENT AND METHOD FOR PRODUCTION THEREOF

Mail Stop Amendment

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY TO ACTION OF JULY 8, 2008

In reply to the Office Action mailed July 8, 2008, Applicants request consideration of the following remarks.

Applicants present claims 1-17 and 20-27 for examination.

The Examiner rejected claims 23 and 27 under 35 U.S.C. §102(b) as being anticipated by Fujimori. But, Fujimori does not disclose a photovoltaic cell having a surface of a semiconductor is planar, a surface of a substrate that is structured and/or a surface of a support layer is structured, as required by claims 23 and 27. Hence, Applicants request reconsideration and withdrawal of this rejection.

The Examiner rejected claims 1-15, 21 and 22 under 35 U.S.C. §103(a) as being unpatentable over Fujimori in view of Tiedje, alone or further in view of Nakamura. But, as would be readily understood by one skilled in the art, Fujimori's process for making his device would result in a device in which the semiconductor layer would have the same general degree of structure as the substrate. This is consistent, for example, with Fujimori's Figure 1. Thus, making the Examiner's proposed combination of Fujimori and Tiedje would not result in the subject matter covered by claims 1-15, 21 and 22. Nor would it have been obvious to modify the processes disclosed by Fujimori and/or Tiedje to provide the subject matter covered by these claims. As a result, without conceding that it would have been obvious to one skilled in the art to combine Fujimori and Tiedje in the manner suggested by the Examiner or that it could have even

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